

REMARKS

Claims 1-5, 14-30 and 102 are pending in the application. Pursuant to the Office Action, claims 1-4, 15-18, 21-26 and 102 are rejected under 35 USC 102(b) as being anticipated by Ehrfeld et al. U.S. 4,872,888. Claims 5 and 27-30 are rejected under 35 USC 103(a) as being unpatentable over Ehrfeld et al. and further in view of Van Rijn U.S. 5,753,014. Claims 19-20 are rejected under 35 USC 103(a) as being unpatentable over Ehrfeld et al. and further in view of Brauker et al. U.S. 5,807,406. This action was made final.

First, applicant notes that no rejection has been made for claim 14. Claim 14 is dependent from claim 1, and additionally requires the filter layer and support layer to be "comprised of different materials that are sufficiently compatible to form a monolithic membrane." This is neither shown nor described in any of the references relied upon by the examiner in the Office Action of September 27. Accordingly, an indication of the allowability of this claim is respectfully requested.

In addition, applicant asserts that none of claims 1, 15, 16, or 21 is anticipated by Ehrfeld et al. as asserted by the examiner. Claim 1 requires a polymeric filter layer and a polymeric support layer.

Ehrfeld et al. is directed to a microporous membrane filter and a method for producing the same. A mold is created of a substance (12), which "is preferably composed of a casting resin based on methacrylate, to which is added an internal release agent to facilitate unmolding." (Col. 4, lines 34-36). The membrane (62) and support structure (61, 63) are made of a molding substance "whose solubility, after solidification, changes under the influence of high energy." (Col. 3, lines 51-54).

Ehrfeld et al. does not disclose a polymeric filter and support layers as required by claim

1. Ehrfeld et al. says nothing about the material for the filter and support layers, other than its solubility changes under the influence of high energy. The example of polymethyl methacrylate given by the examiner in his rejection refers to the mold material (PMMA) (i.e., the molding substance 12) -- not the filter membrane material.

Claim 15 is dependent from claim 1, and requires the filter layer and support layer to be defined "on opposite sides of a single film." Ehrfeld et al. does not have a film, single or otherwise, from which the filter layer and the support layer are defined. Instead, the filter layer and support of Ehrfeld et al. are created by molding.

Claim 16 is dependent from claim 1, and requires the filter layer and support layer to be "formed separately of the same material and joined together to form the monolithic membrane." In the filter membrane of Ehrfeld et al., the filter layer and support layer are formed simultaneously -- by molding -- and are not joined together.

Claim 21 is dependent from claim 1, and calls for a filter membrane in which the filter membrane is "flexible." Ehrfeld et al. makes no teaching as to the flexibility of its filter membrane.

Accordingly, applicant asserts that none of claims 1, 14-16 and 21 are anticipated by Ehrfeld et al. Further, since each of claims 2-5, 14-30, and 102 are dependent from claim 1, each of these claims should also be allowable.

Respectfully submitted,

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